



TOWN OF ELSMERE

APPEAL TO THE BOARD OF ADJUSTMENT

11-20

Any person directly affected by a decision of the code official or a notice or order issued under this code shall have the right to appeal to the Board of Adjustment of the Town of Elsmere, provided that a written application for appeal is filed within 20 days after the day the decision, citation, notice or order was served. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted or the provisions of this code do not fully apply. Additionally, an application for appeal may be based on a claim that an action other than what is required by the code: 1) provides the same or better protections than what the code requires and 2) will not cost the Town of Elsmere any more money than enforcing the code as written. If the appellant proves that an action other than what is required by the code meets these two requirements, the Board of Adjustment may, in its discretion, either enforce the code as written or permit the proposed alternative action.

Date This Appeal was Filed: 10-13-11

Tax Parcel Number: 1900400717

Date of the Original Action: 10-4-2011

Subject Properties Address:
802 Baltimore Avenue, Wilmington, DE 19805

Property Owners Name:

Cyntalex LLC Series 3

Property Owners Address:

2502 Silverside Rd, Ste 7

Phone Number: 302-482-4539

Wilmington, DE 19810

Applicants Name: Beverly J. Reeder

Applicants Address: 802 Baltimore Avenue, Wilmington, DE 19805

Specific Item Being Appealed: (ex: Citation Number, Petition Number, Order Number Etc.)

Citation # 11-9-0712 and Citation # 11-9-0713. I am appealing the 1st citation because I don't believe the shrubs are part of the property at 802. Violation of any code. I have contacted the landlord who will come out to the house and show me where the property line ends. In regard to the second citation, the couch in back of my house, I am appealing it because my parents just gave me a couch just a few weeks prior. I was trying to donate the couch to charity. I was unaware it was against a code or bothersome to any neighbors. Upon receiving these citations, I promptly cut back the shrubs and disposed of the couch. I have lived at the residence for one year. In that time I have worked very hard to make the property look nice inside and out. I have made improvements to the house at my own time and expense, such as painting the exterior steps, railing, and concrete on the house. In addition, I cut the grass at the adjoining property ALL SUMMER long because the resident/owner there does not maintain the grass and I want the property to look nice. I have planted flower beds and edged the property by hand, all to make the property look nicer. I am a responsible, working, member of the community and ask that the committee consider a warning to me rather than fines of \$50.00 each. The landlord/owner is billing me for these two citations. Thank you kindly for your consideration.

Applicants Signature: Beverly ReederDate: 10-13-11

RECEIVED
OCT 13 2011

BY: DA



THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

*******CITATION*******

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

RESPONSIBLE PARTY Cyntellex LLC Series 3 2502 Silverside Rd, STE 7 Wilmington, DE 19810	CITATION #	11-9-0712
	OFFICER	Daniel Reed
	VIOLATION DATE	10/04/2011
	PROPERTY ADDRESS	802 Baltimore Ave Wilmington, DE 19805
	ABATEMENT DATE	10/11/2011

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
All premises and exterior property shall be maintained free from weeds or plant growth in excess of 8 inches.	2000 IPMC 302.4	11/04/2011	\$50.00



*******CITATION INFORMATION*******

In order to process your payment, please write the property address in violation in the memo section of the check or money order, and then mail it with the voucher below.

You may also pay your fee in person at Town Hall, 11 Poplar Ave., Elsmere, DE 19805.

ABATEMENT COST

If the violation noted above is not corrected by 4:00 pm. on the "ABATEMENT DATE" listed above, the Town will take action to abate the violation. If this becomes necessary in addition to the \$50.00 fine already assessed you will owe to the Town the costs of the abatement.

Should you have any questions please contact the Code Enforcement Department at (302) 998-2215.

The "Amount Due" associated with this violation is a civil penalty and is due by no later than the "Due Date". Additionally if the violation is not abated by the "Abatement Date" shown above, the Town will take action to correct the violation. If this becomes necessary you will be responsible for the payment of all abatement costs incurred by the Town. Failure to pay the "Amount Due" and any abatement costs assessed shall give rise to a lien on the property pursuant to Title 25, Chapter 29, of the Delaware Code. You must pay this civil penalty of \$50.00 by the "Due Date" of this citation, even if the violation has been corrected.

Please return this section with your payment.

DUE DATE	PARCEL NUMBER	CITATION NUMBER	AMOUNT DUE
11-04-2011	1900400717	11-9-0712	\$50.00

Make Checks Payable To: The Town of Elsmere
Mail Your Payment To: The Town of Elsmere
 Finance Department
 11 Poplar Avenue
 Elsmere, DE 19805

- Each 24-hour period that the condition giving rise to this citation continues will be subject to a separate citation and an additional civil penalty in the amount of \$50.00.
- You have the right to appeal this violation by submitting a written application to the Town of Elsmere's Board of Adjustment within twenty (20) days of the date of this violation. **MEANS OF APPEAL SHOWN ON THE BACK.**

TOWN OF ELSMERE

11 POPLAR AVE
ELSMERE, DE 19805
ATTN: HEATHER A. HEROLD
TEL: (302)998-2215
FAX: (302)998-9920

INVOICE NO.

I2-00358

INVOICE DATE: 10/04/11

DUE DATE: 11/04/11

CUSTOMER #: C11-0712

CYNTELLEX, LLC SERIES 3
2502 SILVERSIDE RD
STE 7
WILMINGTON, DE 19810

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 802 BALTIMORE AVE - HIGH GRASS 802 BALTIMORE AVE 2000 IPMC 302.4 HIGH GRASS	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE
11 POPLAR AVE
ELSMERE, DE 19805

CYNTELLEX, LLC SERIES 3
2502 SILVERSIDE RD
STE 7
WILMINGTON, DE 19810

Invoice Id: I2-00358

Customer Id: C11-0712

Due Date: 11/04/11

Total Due: 50.00





THE TOWN OF ELSMERE CODE ENFORCEMENT DEPARTMENT

*******CITATION*******

11 Poplar Avenue – Elsmere, DE 19805 Phone: 302-998-2215 Fax: 302-998-9920

RESPONSIBLE PARTY Cyntellex LLC Series 3 2502 Silverside Rd, STE 7 Wilmington, DE 19810	CITATION #	11-9-0713
	OFFICER	Daniel Reed
	VIOLATION DATE	10/04/2011
	PROPERTY ADDRESS	802 Baltimore Ave Wilmington, DE 19805
	ABATEMENT DATE	N/A

On the above date, the Code Enforcement Department performed an inspection of the above referenced property. During this inspection, a violation of the Town of Elsmere Code was discovered. The nature of the civil citation is described below.

Specific Violation	Code Section	Due Date	Amount Due
All exterior property and premises of every structure shall be free from any accumulation of rubbish or garbage.	2000 IPMC 305.1	11/04/2011	\$50.00



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11-04-2011	1900400717	11-9-0713	\$50.00

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 Mail Your Payment To: The Town of Elsmere
 Finance Department
 11 Poplar Avenue
 Elsmere, DE 19805

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TOWN OF ELSMERE

11 POPLAR AVE
ELSMERE, DE 19805
ATTN: HEATHER A. HEROLD
TEL: (302)998-2215
FAX: (302)998-9920

INVOICE NO.

I2-00359

INVOICE DATE: 10/04/11

DUE DATE: 11/04/11

CUSTOMER #: C11-0713

CYNTELLEX, LLC SERIES 3
2502 SILVERSIDE RD
STE 7
WILMINGTON, DE 19810

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
1.00	CODE-CIT	CODE CITATION 802 BALTIMORE AVE - GARBAGE 802 BALTIMORE AVE 2000 IPMC 305.1 ALL EXTERIOR PROPERTY AND PREMISES OF EVERY STRUCTURE SHALL BE FEE FROM ANY ACCUMULATION OF RUBBISH OR GARBAGE	50.0000	50.00
			TOTAL INVOICE	<hr/> 50.00

TOWN OF ELSMERE
11 POPLAR AVE
ELSMERE, DE 19805

CYNTELLEX, LLC SERIES 3
2502 SILVERSIDE RD
STE 7
WILMINGTON, DE 19810

Invoice Id: I2-00359

Customer Id: C11-0713

Due Date: 11/04/11

Total Due: 50.00

